

Remarks

The office action mailed on Aug. 10, 2005 required applicant to elect a species for examination. Applicant elected species A which the Examiner correlated with Figure 2 and claims 6 and 7. Applicants believe that claim 1 is generic and that claims 6 and 7 also cover the species shown in Figure 2.

Section 103 Rejection

The Examiner rejected claims 1, 6, and 7 under section 103(a) as being unpatentable over Pinarbasi 5,883,764 in view of Dates, et al. 3,484,284. The Examiner cited Pinarbasi '764 inter alia as disclosing a method of fabricating a spin valve with leads comprising layers of tantalum/chromium/tantalum. The Examiner noted that Pinarbasi '764 differs from the presently claimed invention by using an upper tantalum pad instead of rhodium as claimed. The Dates reference is cited by the Examiner as teaching that leads can be formed of a conductive material, or electroconductive material, with alternative materials of rhodium or tantalum (see col. 4, lines 2-10) for the advantages of providing high power capacity and low contact resistance (see col. 3, lines 2-8). The Examiner asserts that it would have been obvious to have substituted rhodium in place of chromium in the structure of Pinarbasi '764. Applicant respectfully disagrees.

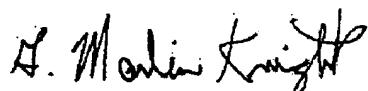
Dates '284 is not a teaching about how to make leads for spin valve. Instead he is teaching the making of heating elements, resistive coatings, capacitor plates and the like that include among other things 10 to 50% of non-conducting ceramic or glass. (see Dates' Abstract). For this purpose Dates '284 includes rhodium and tantalum along with every metal in group 3 of the Periodic Table (see col. 3, lines 74ff). Dates is non-analogous art that cannot reasonably be combined with Pinarbasi '764 to make a prima facie case of obviousness. One of ordinary skill in the art would not look to Dates '284 for a teaching on materials useful in making multilayered leads for a spin valve.

Even if Dates were combined with Pinarbasi '764, the result would not be the applicant's invention. Dates is not teaching the substitution of pure rhodium for pure tantalum. Dates' teaching would result in material that included at least 10% non-conducting ceramic or glass,

as well as, a semiconductor material.

It is respectfully submitted that the foregoing arguments establish that claims 1, 6 and 7 are patentable over the cited references. The allowability of claim 1, which is generic, provides the basis for the examination of the previously non-elected claims whose allowance is also requested.

Respectfully submitted,



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